



February 9, 2017

Secretary Betsy DeVos
U.S. Department of Education
400 Maryland Ave., SW
Washington, DC 20202

Secretary DeVos,

Congratulations on your recent confirmation as Secretary. As a coalition of state and district education Chiefs dedicated to excellence and equity for America's students, we look forward to working with you to strengthen our nation's schools. Our members lead education systems serving 4.3 million students, 288,000 teachers, and 8,200 schools. They are united by the belief that all children have the right to a quality school, and they are designing and implementing plans and policies that set the standard for innovation and boldness in our field. As you make plans for the future of education policy in our country, I encourage you to call on them for guidance.

Our members are hard at work developing plans for implementation of the Every Student Succeeds Act (ESSA) and are hopeful that the Department will retain the current process and schedule for plan submission. It is important that the Department continue to offer clarity for all states and a process that accommodates both fast-moving states and those with longer processes.

We understand that there is Congressional action underway to repeal the accountability regulations associated with ESSA. As with any regulations, there can always be improvements, and we look forward to your Department's efforts in this regard. However, we believe that states must meet the letter and spirit of this civil rights law, and we believe that your leadership as Secretary will be pivotal in ensuring states do this amidst regulatory uncertainty.

Specifically, I offer two areas of the law addressed in the draft regulations that our members believe are of critical importance to the rights of students to a quality school. I urge that you consider the gravity of these issues and the perilous situation that may emerge from ambiguity among the states:

First, while the law requires that states "establish a system of meaningfully differentiating, on an annual basis, all public schools in the State," the regulations outline requirements for summative determinations among at least three clear categories. This is essential for parents to have clear and transparent information on the quality of schools to inform strong choices for their children. Our state members implement different approaches to this but all include clear single summative ratings to provide effective information to stakeholders.

Second, while the law requires states to address schools with overall low performance and low-performing subgroups, the regulations put in place clear timelines for this work as well as specific guidelines for ensuring that school improvement planning is transparent and that parents are informed about the strategies to improve the quality of their child's school. The regulations also require that

districts with these struggling schools identify and address resource inequities to support improved performance. We view this as critical to fostering meaningful and sustained school improvement, and our members at both the state and district levels are committed to addressing these equity issues.

Beyond issues related to the draft regulations, ESSA offers a number of new pathways to improve student learning. We look forward to discussing them with you, but one we would highlight as especially promising is Direct Student Services (DSS), which allows states to set aside 3% of Title I funds on a discretionary basis. We view this new authority as a key way to provide instructional choice to families and allow students to access a wide array of courses and supports that would not otherwise be available to them. We have worked with states to develop an extensive set of resources around this program and look forward to several of our members utilizing this program to expand instructional choices for students including through expanded course access.¹

We hope that you will provide leadership and a clear path forward on these issues to help advance this important work from the Department, and we are committed to working with you to do so.

Our members will continue to lead by example and develop plans that align with the key tenets of the statute and regulations described above. We encourage your administration to ensure that all states uphold these principles and requirements outlined in the ESSA statute. We look forward to the opportunity to speak with you at greater length and to work together to advance excellent outcomes for all students.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mike Magee', with a long, sweeping underline.

Mike Magee
CEO, Chiefs for Change

¹ Chiefs for Change materials on DSS including model application, are available at:
<http://chiefsforchange.org/dss-resources/>